



BRAINWARE UNIVERSITY

Term End Examination 2022

Programme – LL.B.-2020/LL.B.-2022

Course Name – Constitutional Law I/CONSTITUTIONAL LAW I

Course Code - LLB104

(Semester I)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) To enforce the fundamental rights, propose which among the following body has authority to issue writs.
- | | |
|-------------------|------------------|
| a) Parliament | b) President |
| c) Prime Minister | d) Supreme Court |
- (ii) Select the part of the Indian Constitution where the Fundamental rights are provided.
- | | |
|------------|-------------|
| a) Part II | b) Part III |
| c) Part V | d) Part IV |
- (iii) Identify the case where it is mentioned that the Preamble is not the part of Indian Constitution.
- | | |
|---|----------------------------------|
| a) Golak Nath v/s State of Punjab | b) Re Berubari case |
| c) Keshavananda Bharati v/s State of Kerala | d) Indira Gandhi v/s Raj Nararin |
- (iv) Explain about the Keshavananda Bharati case which was associated with.
- | | |
|-----------------------|---|
| a) Fundamental Rights | b) Directive Principles of State Policy |
| c) State right | d) Armed rebellion |
- (v) Predict inclusion of right to education as fundamental right under Article 21A has been made by
- | | |
|--|--|
| a) Constitution (Eighty-fifth Amendment) Act | b) Constitution (Eighty-seventh Amendment) Act |
| c) Constitution (Eighty-sixth Amendment) Act | d) Constitution (Eighty-eighth Amendment) Act. |
- (vi) Report the writ which is the form of a command.
- | | |
|-----------------|----------------|
| a) Quo Warranto | b) Prohibition |
| c) Mandamus | d) Certiorari |
- (vii) Identify the amendment where the terms socialist and secular has been inserted in Indian Constitution.
- | | |
|-------------------------|-------------------------|
| a) 41st Amendment, 1976 | b) 42nd Amendment, 1976 |
|-------------------------|-------------------------|

- c) 43rd Amendment, 1976
d) 44th Amendment Act, 1978
- (viii) Express about the preamble of the Indian Constitution which is based on.
a) Objective resolution
b) Philosophy of India
c) Religious Concept
d) Indian Culture
- (ix) Identify the Chairman of the Drafting Committee.
a) Dr. B. R. Ambedkar
b) Pt. Jawaharlal Neharu
c) Dr. Rajendra Prasad
d) None of these
- (x) Determine protection of interests of minorities is provided in which Article.
a) Art. 20 of the Constitution of India
b) Art. 21 of the Constitution of India
c) Art. 22 of the Constitution of India
d) Art. 29 of the Constitution of India
- (xi) Discuss about the statement which is not correct in the case of "Sovereign India".
a) India is not dependent on any country
b) India is a colony of a developed country
c) India can give any part of its country to any other country
d) India is obliged to obey the UK in its all affairs
- (xii) Determine which among the following articles of Constitution of India abolishes the untouchability
a) Article 15
b) Article 16
c) Article 17
d) Article 18
- (xiii) Explain about the country from which Indian Constitution has borrowed the ideas of Preamble.
a) Italian Constitution
b) Canadian Constitution
c) French Constitution
d) Constitution of USA
- (xiv) Select which one of the following is correct with respect to "Right against exploitation."
a) Prohibition of traffic in human beings and forced labour
b) Freedom as to payment of taxes for the promotion of any particular religion
c) Protection of interests of minorities
d) Equality before law
- (xv) Analyse among the following which is not a Fundamental Right.
a) Right to Equality
b) Right to Property
c) Right to Freedom
d) Right against exploitation

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Infer whether a juristic person such as Company can be a citizen of India. (3)
3. Explain doctrine of severability. (3)
4. Explain doctrine of eclipse. (3)
5. Analyze whether Fundamental Rights can be waived. (3)
6. Write the role of Supreme Court as guardian of the Constitution. (3)

OR

Express the origin of the phrases 'equality before law' and 'equal protection of law' (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Establish whether preamble is a part of the Constitution with the help of case laws. Give the definition of 'State' as given in the Constitution of India. (5)
8. Restate the observation made by the Supreme Court regarding amenability of Fundamental Rights in the light of Keshavananda Bharati judgment. (5)
9. Describe the relation between Fundamental Rights and Directive Principles. (5)
10. Distinguish between Article 32 and Article 226 of the Constitution. (5)
11. Evaluate the term 'due process of law'. (5)

12. Summarize the grounds for issuance of writs of Habeas Corpus, Certiorari, Prohibition, Mandamus, Quo-Warranto. (5)

OR

Weigh reasonableness of restriction imposed on the rights guaranteed under Article 19(1). (5)
